

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

RAVENWHITE LICENSING LLC,

Plaintiff,

V.

THE HOME DEPOT, INC. et al.,

Defendants.

RAVENWHITE LICENSING LLC,

Plaintiff,

V.

WALMART INC. et al.,

Defendants.

Civil Action No. 2:23-cv-00423-JRG-RSP
(Lead Case)

Civil Action No. 2:23-cv-00418-JRG-RSP
(Member Case)

JURY TRIAL DEMANDED

**JOINT MOTION FOR LIMITED EXPEDITED VENUE DISCOVERY AND
EXTENSION OF TIME TO RESPOND TO HOME DEPOT DEFENDANTS' RENEWED
MOTION TO DISMISS AMENDED COMPLAINT BASED ON IMPROPER VENUE**

Plaintiff RavenWhite Licensing LLC (“RavenWhite”) and Defendants The Home Depot, Inc., and Home Depot USA, Inc., (collectively, “Home Depot”) jointly move for limited expedited venue discovery and an extension for time to respond to Home Depot’s Renewed Motion to Dismiss the Amended Complaint Based on Improper Venue (Dkt. 42) (“Motion to Dismiss”).

RavenWhite filed an Amended Complaint against Home Depot on December 6, 2023, alleging infringement of U.S. Patent Nos. 10,594,823 (“the ’823 Patent”) and U.S. Patent No. 11,562,402 (“the ’402 Patent”) (collectively, “the Patents-in-Suit”). On January 9, 2024, Home Depot filed its Motion to Dismiss. Dkt. 42.

In the Motion to Dismiss, Home Depot raises various issues concerning the Eastern District of Texas as a proper venue. Home Depot submitted a declaration in support of its Motion. Here, RavenWhite seeks discovery to adequately respond to the Motion to Dismiss. RavenWhite only has access to publicly available information to oppose the Motion to Dismiss, whereas Home Depot has access to both publicly available and internal, confidential (and non-confidential) information to support its Motion. Venue discovery would also give the Court a more complete record to analyze the issues Home Depot raises in its Motion.

Accordingly, the parties have jointly arrived at the following agreed plan for expedited venue discovery:

1. One Rule 30(b)(6) deposition notice to The Home Depot, Inc. and Home Depot USA, Inc., for topics related to venue, with up to seven (7) total hours of deposition testimony.
2. Up to 7 total venue interrogatories to The Home Depot, Inc. and Home Depot USA, Inc., responses due 21 days from service.
3. Up to 7 total venue requests for production to The Home Depot, Inc. and Home Depot USA, Inc., responses due 21 days from service.
4. Venue discovery shall be completed by April 5, 2024. Additionally, RavenWhite's opposition to the Motion to Dismiss will be due on April 19, 2024; and Home Depot's reply in support of its Motion to Dismiss will be due on May 3, 2024.

The parties respectfully request that the Court order the agreed limited venue discovery and extension of time described above.

Should the Court deny the present motion, RavenWhite alternatively requests that its deadline to respond to the Motion to Dismiss be extended to 14 days after any Court order denying

this motion, and Home Depot requests that its reply in support of its Motion to Dismiss be due 14 days after the filing of the Opposition.

CONCLUSION:

For the reasons outlined above, the parties jointly and respectfully request that the Court approve the proposed expedited venue discovery and grant an extension of time for filing RavenWhite's opposition to the Motion to Dismiss as outlined herein.

Dated: January 23, 2024

Respectfully submitted,

/s/ Robert F. Kramer

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Attorneys for Defendants

Home Depot, Inc. and Home Depot USA, Inc.

RavenWhite Licensing, LLC

CERTIFICATE OF CONFERENCE

The undersigned hereby certifies that counsel has complied with the meet and confer requirement in Local Rule CV-7(h) and that counsel for defendants join in this motion and do not oppose this motion.

/s/ Robert F. Kramer

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of the foregoing document was filed electronically in compliance with Local Rule CV-5(a). Therefore, this document was served on all counsel who are deemed to have consented to electronic service on January 23, 2024.

/s/ Robert F. Kramer